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October 17, 2022

VIA CM/ECF

Special Master Thomas P. Scrivo, Esq.
O'Toole Scrivo, LLC
14 Village Park Road
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Re: *Ocidental Chemical Corp. v. 21st Century Fox America, Inc., et al.*
Docket No. 2:18-cv-11273-MCA-LDW

Dear Special Master Scrivo:

We represent MI Holdings, Inc. ("MIH") in the above-captioned matter. MIH respectfully requests your prompt attention to a dispute with Plaintiff's counsel regarding the need to adjourn MIH's Rule 30(b)(6) deposition scheduled for this Thursday, October 20, 2022. MIH advised Gibbons of an unexpected conflict on October 12, 2022 and Gibbons immediately advised Plaintiff's counsel. Please see the attached exchanges with Plaintiff's counsel related to this issue and the parties' efforts to resolve the matter.

MIH's witness has been preparing for the deposition for months, but she now has an unexpected and unavoidable conflict on the scheduled date, October 20, 2022. She is General Counsel for North America of Natura &Co and needs to be present at a significant trial in California that was scheduled to commence on Monday, October 17, 2022. MIH's counsel left for California on Sunday, October 16th. When MIH offered October 20th for its deposition, it did not know or anticipate that the trial might start this week, contrary to Plaintiff's assertion in its letter today, which misconstrues MIH's prior letters.

MIH has attempted in good faith to work with Plaintiff to schedule a new date for the deposition. Indeed MIH is available to conduct the deposition on any of three dates in mid-November (November 16th, 17th and 18th), so there should be no issue. Plaintiff, however, seeks to take advantage of the situation and insists on conducting the deposition this Thursday or next week – which MIH's witness cannot do – unless MIH agrees to unreasonable demands that it give up its rights, as set forth in Plaintiff's letters of October 14th and 17th. Plaintiff's

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unwarranted conduct and sharp litigation tactics should not be countenanced, particularly since the deadline for fact discovery has been extended until April 15, 2023.

Given the timing, we request your assistance in resolving this dispute either tomorrow, Tuesday, October 18th or Wednesday, October 19th. We will make ourselves available as necessary and at your convenience. Thank you for your attention to this matter.

Respectfully submitted,

/s/ Camille V. Otero

Camille V. Otero
Director

cc: All counsel of record